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FILED BARRY J. PORTMAN 1 Federal Public Defender RONALD C. TYLER 2 JUL 2 9 2010 Assistant Federal Public Defender 450 Golden Gate Avenue 3 RICHARD W. WIEKING CLERK U.S. DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA San Francisco, CA 94102 Telephone: (415) 436-7700 Counsel for Defendant 5 6 7 IN THE UNITED STATES DISTRICT COURT 8 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA 10 CR 09-0880 JSW UNITED STATES OF AMERICA, 11 STIPULATION AND [PROPOSED] Plaintiff, 12 ORDER CONTINUING HEARING DATE FROM AUGUST 5, 2010 TO SEPTEMBER16, 2010 13 v. ALBERTO GODINEZ GALARZA, 14 Defendant. 15 16 17 **STIPULATION** 18 19 The parties are scheduled to appear before the Court for the sentencing hearing on August 5, 2010. An issue has arisen which is critical to determination of the accurate advisory guidelines. At 20 21 the request of defense counsel, the Probation Office is obtaining the necessary records to resolve the 22 issue. The records are expected within the next two weeks. Defense counsel will be out of the 23 office from August 6 until August 30, 2010. Upon his return, the issue should be easily resolved 24 and appropriate sentencing memoranda can be prepared. Accordingly, the parties respectfully 25 request that the hearing be continued until September 16, 2010 at 2:30 p.m. The probation officer is 26 Stipulation and [Proposed] Order to Continue Hearing Date: United States v. Godinez-Galarza CR 09-0880 JSW - 1 -

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1	also available on the requested date.
2	
3	SO STIPULATED:
4	JOSEPH P. RUSSONIELLO United States Attorney
5	
6	DATED: July 28, 2010 /s/
7	PATRICIA SPALETTA Special Assistant United States Attorney
8	
9	DATED: July 28, 2010 /s/ RONALD C. TYLER
10	Assistant Federal Public Defender
11	
12	[PROPOSED] ORDER
13	For the reasons stated above, the Court hereby continues the sentencing hearing from August
14	6, 2010 to September 16, 2010 at 2:30 p.m.
15	
16	SO ORDERED.
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18	DATED: 07 29 10 THE MONORANTE I FEFERENCE WHITE
19	THE HONORAPLE JEFFREY S. WHITE United States District Court Judge
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26	Stipulation and [Proposed] Order to Continue Hearing Date; United States v. Godinez-Galarza CR 09-0880 JSW - 2 -